

RESPONSE TO OFFICE ACTION MAILED AUGUST 25, 2005
Page 5 of 10

S/N: 10/692,292
ATTY. DKT. NO.: GLBL 045

REMARKS

The present response is intended to be fully responsive to the rejection raised by the Office and is believed to place the application in condition for allowance. Further, the Applicants do not acquiesce to any part of the Office's rejection not particularly addressed. Favorable reconsideration and allowance of the application is respectfully requested.

In the Office Action, the Office noted that claims 1-22 of the present application are pending and rejected. The Office objected to claim 11. In view of the following discussion, the Applicants believe that all claims are in allowable form.

I. Objections

With respect to the objection to dependent claim 11, the Applicants note that the dependent claim 11, as a result of a typographical error, originally depended from itself instead of independent claim 8. In view of the above-listed amendment, the dependent claim 11 now correctly depends from the independent claim 8. As such, the Applicants request the Office to withdraw the objection and reconsider the dependent claim 11 with the rest of the pending claims in this application.

In addition, the Applicants submit that no new matter has been added by way of the above amendment. The Applicants also submit that, for the reasons set forth below, independent claim 8 is allowable over the prior art of record, and thus, the dependent claim 11 is likewise allowable.

II. Rejections

A. Rejection of Under 35 U.S.C. §102(b)

The Office rejected claims 1, 8 and 15-16 as being anticipated by U.S. patent No. 6,317,603 ("Allison"). The rejection is respectfully traversed.

The Office contended that *Allison* teaches all the elements of each of the claims, including the elements directed to forming augmented assistance data. As such, the Office contented that *Allison* teaches the claimed elements directed to combining assistance data with information that (i) is received from a satellite in a first satellite network (i.e., one satellite system), but (ii) pertains to at least one satellite in a second satellite network (i.e., a different satellite system). In support of this contention, the Office cited to figure 1, column 7, lines 39-55, and column 9, lines 43-50.

16538-1

RESPONSE TO OFFICE ACTION MAILED AUGUST 25, 2005
Page 6 of 10

S/N: 10/692,292
ATTY. DKT. NO.: GLBL 045

More specifically, *Allison* at column 7, lines 39-55, states "[i]n one embodiment, the system (10) comprises: a primary base station is (PBS) (12), a secondary base station (SBS) (26), a primary data link (18) between the SBS and the PBS, and a secondary data link (34) between the SBS and a rover (32). The primary satellite antenna (16), the secondary satellite antenna (22), and the rover satellite antenna (36) are configured to receive all of broadcast satellite signals from the SATPS satellite system including at least four visible satellite-vehicles (38, 40, 42, and 44) ... [i]n one embodiment, the SATPS comprises the GPS system, and four visible satellite-vehicles (38, 40, 42, and 44) are GPS satellites. In this embodiment, the primary satellite antenna (16), the secondary satellite antenna (22), and the rover satellite antenna (36) are configured to receive all of broadcast GPS satellite signals (such as the L1 signal, the L2 signal, and additional signals, like L3, that may be provided either encrypted or unencrypted to users)" (emphasis added).

Allison at Column 9, lines 43-50, states "If the rover is configured to obtain its own satellite data by using its own satellite antenna (36). The rover supplements its own satellite data with the SBS_P data transmitted by using the secondary data link (34 of FIG. 1) between the SBS and the rover. Thus, in this mode of practicing the present invention, the rover is configured to perform RTK survey of an area according to a predetermined plan utilizing the data transmitted to the rover along the long baseline" (emphasis added).

In contrast, the Applicants claim a method and apparatus that includes a combination of elements directed to forming augmented assistance data, which includes a combination of claimed elements directed to combining assistance data with information that (i) is received from a satellite in one satellite system, and (ii) pertains to at least one satellite in a different satellite system.

Specifically, the Applicants' claim 1 positively recites:

"A method of distributing information to a mobile receiver, comprising;
receiving information representing at least one of ionosphere information, clock information, and satellite integrity information from a first satellite in a first satellite network, where the received information pertains to at least one satellite in a second satellite network,

16538-1

RESPONSE TO OFFICE ACTION MAILED AUGUST 25, 2005
Page 7 of 10

S/N: 10/692,292
ATTY. DKT. NO.: GLBL 045

combining at least a portion of the received information with assistance data to form augmented assistance data; and

coupling the augmented assistance data to a mobile receiver, where the mobile receiver uses the augmented assistance data to process satellite signals from at least one satellite in the second satellite network" (emphasis added).

Each of the independent claims 8 and 15 recite a similar combination of claimed elements.

Contrary to the Office's contentions, the Applicants submit that the above-listed sections (and the rest) of *Allison* do not disclose the claimed elements directed to forming augmented assistance data, and as such, do not describe any process or function related to, associated with, or otherwise concerned with forming augmented assistance data, as claimed. That is, *Allison* does not disclose, for example, the claimed elements directed to *combining assistance data with at least a portion of the received information that (i) is received from a satellite in one network of satellites, and (ii) pertains to at least one satellite in a different network of satellites*.

The Applicants note that in Figs. 1-2 of *Allison*, which correspond to the aforementioned cited sections, the SATPS satellite system is represented by four "satellite vehicles," namely, satellite vehicles 38-44. In addition, the Applicants note that each of the primary, secondary and rover antennas 16, 22, and 36 are shown communicatively coupled to such satellite vehicles 38-44, and not coupled to a satellite vehicle in any other network of satellites. The Applicants further note that *Allison* specifically discloses that each of its primary satellite antenna (16), secondary satellite antenna (22), and the rover satellite antenna (36) each receive all of broadcast satellite signals from the SATPS satellite system. Thus, as can be readily discerned from the cited sections (and the rest) of *Allison*, the primary, secondary and rover antennas 16, 22, and 36 each receive the broadcast satellite signals from the same SATPS satellite system, and not from different satellite systems. As such, when the rover of *Allison* supplements its own satellite data with the SBS_P data received from the secondary base station (as described in *Allison* at column 9, lines 39-50), the rover supplements its satellite data with satellite data from the same SATPS satellite system.

16538-1

RESPONSE TO OFFICE ACTION MAILED AUGUST 25, 2005
Page 8 of 10

S/N: 10/692,292
ATTY. DKT. NO.: GLBL 045

The Applicants further note that, while the primary base station, the secondary base station and the rover of *Allison* are operable to receive satellite signals from subsets of the SATPS satellite system (for example, one or more of the satellite vehicles of the SATPS in view), all of the satellite signals received from such subsets are nevertheless from the same SATPS satellite system.

Unlike *Allison*, the Applicants claim a combination of elements directed to *combining assistance data with at least a portion of the received information that (i) is received from a satellite in one satellite system, and (ii) pertains to at least one satellite in a different satellite system*. The Applicants invite the Office to review present specification, particularly paragraphs 13-15, which provide examples of such *satellite systems*, and describes at least one embodiment of an assisted-SPS (A-SPS) system that includes two different satellite systems. See also *the rest of the present application*, at pages 4-14.

Since *Allison* lacks at least one element of each of the independent claims 1, 8 and 15, the Applicants submit that *Allison* does not anticipate the claimed invention under 35 U.S.C. §102(e). As such, the Applicants submit that each of the independent claims 1, 8 and 15 are patentable over *Allison*.

Claims 2-7, 9-14 and 16-18 depend, either directly or indirectly, from claims 1, 8 and 15. Since the Applicants submit that *Allison* fails to anticipate the independent claims 1, 8 and 15 for the reasons set forth above, the Applicants further submit that *Allison* likewise fails to anticipate each of the dependent claims 2-7, 9-14 and 16-18. Thus, the Applicants submit that the claims 1-18 fully satisfy the requirements of 35 U.S.C. §102, and therefore, are allowable.

III. Rejection Under 35 U.S.C. §103(a)

IV. Claims 2-7, 9-14 and 17-22

The Office rejected independent claim 19 and dependent claims 2-7, 9-14, 17-18 and 20-22 as being unpatentable over *Allison* in view of U.S. patent No. 6,529, 830 ("Eschenbach"). The rejection is also respectfully traversed.

The Office stated that *Allison* in combination with *Eschenbach* teaches all of the elements of the independent claim 19 and dependent claims 2-7, 9-14, 17-18 and 20-22. The Applicant note that, like claims 1, 8 and 15, the independent claim 19 and the

16538-1

RESPONSE TO OFFICE ACTION MAILED AUGUST 25, 2005
Page 9 of 10

S/N: 10/692,292
ATTY. DKT. NO.: GLBL 045

dependent claims 2-7, 9-14, 17-18 and 20-22 (via dependency from independent claims 1, 8, 15 and 19) each includes a combination of elements directed to *combining assistance data with at least a portion of the received information that (i) is received from a satellite in one satellite system, and (ii) pertains to at least one satellite in a different satellite system*. The Applicants also note that the Office relied on *Allison* and not on *Eschenbach* for the proposition that it teaches such combination of elements,

In view of this and as discussed above, the Applicants submit that *Allison* does not teach or suggest teach the combination of elements directed to *combining assistance data with at least a portion of the received information that (i) is received from a satellite in one satellite system, and (ii) pertains to at least one satellite in a different satellite system*. As such, the Applicants submit that the combination of *Allison* and *Eschenbach* does not teach or suggest all the elements of each of the independent claims 1, 8, 15 and 19.

Given that each of the dependent claims 2-7, 9-14, 17-18 and 20-22 depend, directly or indirectly, from either of the independent claims 1, 8, 15 or 19, each necessarily includes all the elements of its respective independent claim. Since the combination of *Allison* and *Eschenbach* does not teach the limitations of the independent claims 1, 8, 15 and 19, the Applicants therefore submit that each of the dependent claims 2-7, 9-14, 17-18 and 20-22 is not obvious under 35 U.S.C. §103(a) over *Allison* in view of *Eschenbach*.

CONCLUSION

The Applicants submit that the application is in good and proper form for allowance, and respectfully requests the Office to pass this application to issue. If, in the opinion of the Office, a telephone conference would expedite the prosecution of this

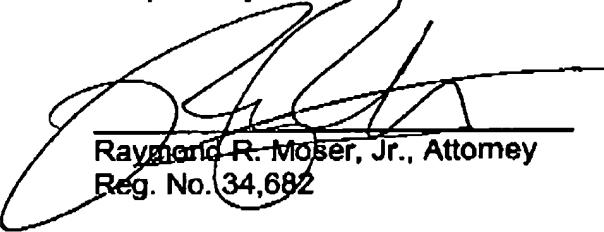
16538-1

RESPONSE TO OFFICE ACTION MAILED AUGUST 25, 2005
Page 10 of 10

S/N: 10/692,292
ATTY. DKT. NO.: GLBL 045

application, the Office is invited to call the undersigned attorney directly at 732-978-4890 or the office of the undersigned attorney at 732-935-7100.

Respectfully submitted,



Raymond R. Moser, Jr., Attorney
Reg. No. 34,682

Moser IP Law Group
1040 Broad St., 2nd Floor
Shrewsbury, NJ 07702
(732) 935-7100

November 23, 2005

Date

16538-1

PAGE 11/11 * RCVD AT 11/23/2005 12:52:19 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/36 * DNIS:2738300 * CSID:7329357122 * DURATION (mm:ss):03:28